

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

MATTHEW T. SHAFER, SHERI  
HAUGABOOK, PETER HEIDT, JEFFREY  
SHOVER, MACE TAMSE, GEORGE  
LIVANOS, MARK LOFTUS, JEFFREY  
SAMSEN, JEFFREY SHERESKY, STEVE  
SHERESKY, STEVE NADLER, and SANDY  
JUKEL, on behalf of themselves and all others  
similarly situated,

Plaintiffs,

-against-

MORGAN STANLEY, MORGAN STANLEY  
SMITH BARNEY LLC, MORGAN STANLEY  
COMPENSATION MANAGEMENT  
DEVELOPMENT AND SUCCESSION  
COMMITTEE, and John/Jane Does 1-20,

Defendants.

Civil Action No. 1:20-cv-11047-PGG

Hon. Paul G. Gardephe

**MORGAN STANLEY'S NOTICE OF APPEAL**

Notice is hereby given that Defendants Morgan Stanley, Morgan Stanley Smith Barney LLC, and Morgan Stanley Compensation Management Development and Succession Committee (together, "Morgan Stanley") appeal to the United States Court of Appeals for the Second Circuit from this Court's November 21, 2023 Order respecting Morgan Stanley's motion to compel arbitration (ECF No. 86), November 5, 2024 Order denying Morgan Stanley's motion for reconsideration and/or clarification (ECF No. 99), and any other orders incorporated therein.

Dated: November 29, 2024

Respectfully submitted,

O'MELVENY & MYERS LLP

By: /s/ Meaghan VerGow

Meaghan VerGow  
Brian D. Boyle (*pro hac vice*)  
1625 Eye Street, N.W.  
Washington, D.C. 20006  
Telephone: (202) 383-5300  
mvergow@omm.com  
bboyle@omm.com

Pamela A. Miller  
1301 Avenue of the Americas  
Suite 1700  
New York, New York 10019  
Telephone: (212) 326-2000  
pmiller@omm.com

*Attorneys for Defendants Morgan Stanley,  
Morgan Stanley Smith Barney LLC, and  
Morgan Stanley Compensation  
Management Development and  
Succession Committee*